

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

ELISABETH STURGILL,

Plaintiff,

v.

THE BOILERMAKER-BLACKSMITH
NATIONAL PENSION TRUST,

Defendant.

Case No. 1:19-cv-925-JPW
(Honorable Jennifer P. Wilson)

MOTION FOR SUMMARY JUDGMENT

Defendant Boilermaker-Blacksmith National Pension Trust asks the Court to grant summary judgment against Plaintiff Elizabeth Sturgill under Federal Rule of Civil Procedure 56(a). Defendant contends that Defendants reasonably decided Plaintiff's claim that she was participant John Martin's common-law spouse. Defendant incorporates the memorandum in support of the Motion for Summary Judgment and the Separate Statement of Material Facts, as required by LR 7.5 and 56.1, herein.

Defendant has sought concurrences from Plaintiff, but Plaintiff opposes the motion.

WHEREFORE, Defendants respectfully ask the Court to grant summary judgment against Plaintiff's claim against Defendants

Dated: September 14, 2019

Respectfully Submitted,

BLAKE & UHLIG, PA

/s/ Nathan Kakazu

Nathan Kakazu

MO Bar No. 70157

Admitted pro hac vice

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Attorney for Defendants

CERTIFICATE OF NON-CONCURRENCE

I, Nathan A. Kakazu, Esquire, do hereby certify that I contacted counsel for Plaintiff Elizabeth Sturgill, Sean Summers, Esquire, to ascertain her position with respect to the foregoing Motion. She does not concur.

Respectfully Submitted,

BLAKE & UHLIG, PA

/s/ Nathan Kakazu
Nathan Kakazu
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CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2020, the foregoing was electronically filed using the CM/ECF system, which sent notification to all parties of interest participating in the CM/ECF system.

/s/Nathan Kakazu